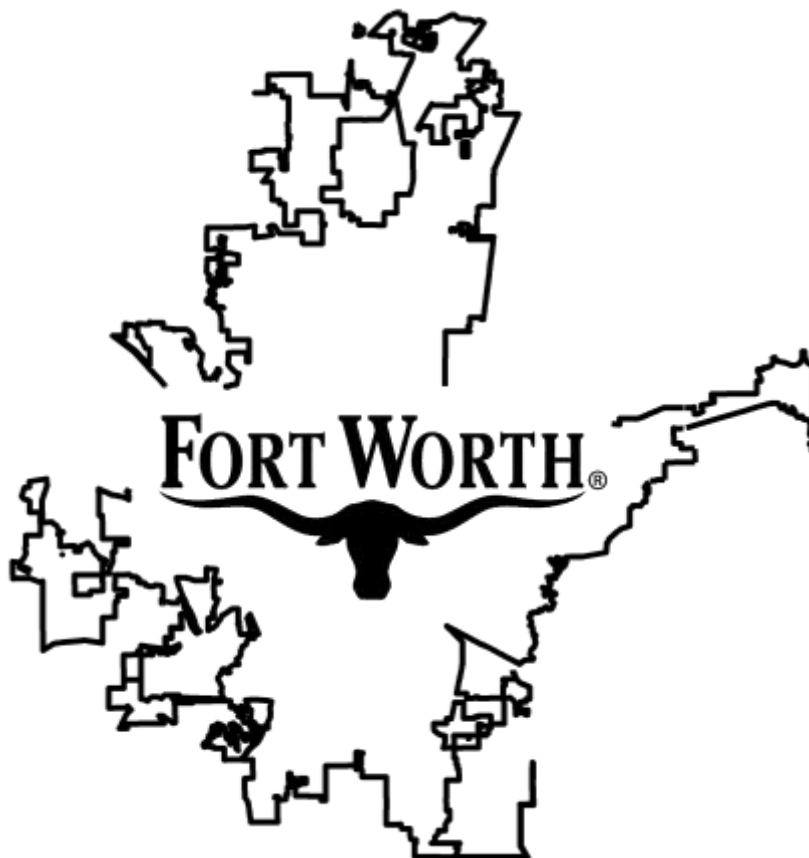


**City of Fort Worth
2012 Redistricting Guide
For Revising
Fort Worth's Single-Member
City Council District Plan**

REDISTRICTING: PHASE 2



**Prepared by the
Planning and Development Department
City of Fort Worth
(817-392-2600)**

1. INTRODUCTION

The purpose of this guide is to assist individuals and the City Council in revising the present single-member city council district plan for electing City Council members (redistricting).

What is Redistricting of City Council Districts?

There are nine (9) positions on the Fort Worth City Council. The Mayor is elected at-large by a city-wide vote, and there are eight (8) City Council Members. Each City Council Member is elected from a specific area (district) to serve as the representative from that district. Redistricting is the process of modifying the boundary lines of the City Council districts for the purpose of adding or reducing population.

Why Must We Redistrict?

By law, population must be approximately equal in the districts. Based on the 2010 census showing growth, some districts no longer have approximately equal populations, so the district boundary lines must be revised.

2. REVIEW: COMPLETION OF PHASE I – REDISTRICTING

In order to simplify the redistricting process and to facilitate public participation, the process was divided into two phases:

Phase I - Determination of the Number of City Council Districts (COMPLETE)

Phase II - Approval of a new Single-Member City Council District Plan

Review of Phase I – Determination of Number of City Council Districts

Phase I was initiated in July 2011 and completed in November 2011. During Phase I, the City Council addressed the initial question of whether the number of city council districts should be changed from the current eight districts.

Individuals were encouraged to participate in this initial phase by submitting recommendations on whether to maintain the current number of city council districts, or to hold a home-rule charter election to propose changing the number of city council districts. A website, an e-mail address, and a Hot Line for redistricting information were made available to the public. Staff conducted nine (9) public workshops, including a Spanish-language workshop, to provide general information regarding redistricting and to provide an explanation of the on-line redistricting mapping software.

Access to the redistricting software was also available on computers with Internet access. City planners and library staff, including bilingual staff members, were available to answer questions concerning use of the software and to assist individuals in preparing maps as part of the decision-making process for recommending the number of city council districts.

Individuals made recommendations through comments at the public workshops, letters and e-mails. The City Council received input at its November 15, 2011 City Council meeting.

After carefully considering individual comments, census data and other factors, the City Council voted to maintain the current number of City Council districts and proceed to Phase II of the redistricting process.

3. PHASE II – APPROVAL OF A REDISTRICTING PLAN FOR EIGHT (8) SINGLE-MEMBER DISTRICTS.

Residents are once again invited to participate in all steps of Phase II.

With the assistance of individuals, the City Council will redraw the current city council district boundaries and adopt a new single-member city council district plan. It is anticipated that this process will take several months to complete. City staff, including bilingual staff, will be available during this process to assist residents and provide information.

4. GENERAL INFORMATION AND HISTORY OF REDISTRICTING

Redistricting is the process of redrawing election district boundaries. The “one person, one vote” standard arising from the Equal Protection Clause of the United States Constitution requires that election districts for state and local governmental officials such as city council members have approximately equal populations. Therefore, when there is a new federal census indicating population change, political subdivisions must determine whether existing districts still satisfy the equal population requirement. If not, they must redistrict, which is sometimes referred to as reapportionment.

The 2010 federal census revealed that Fort Worth’s population increased by thirty-eight and six-tenths percent (38.6%) between 2000 and 2010. Due to disproportionate growth in certain city council districts, the City must redistrict. The City is striving to submit a redistricting plan to the United States Department of Justice (DOJ) for approval prior to the May 2013 municipal general election.

Redistricting involves satisfying several legal standards, some of which may be conflicting. First, as discussed above, each electoral district must contain roughly the same number of people. Districts for the election of members of the United States House of Representatives generally must have a deviation of less than one percent in order to satisfy constitutional requirements. For state and local electoral districts such as city council districts, courts have held that a population deviation of up to ten percent (10%) is usually considered acceptable.

Section 2 of the federal Voting Rights Act prohibits the use of any election practice or procedure that “results in a denial or abridgement of the right of any citizen to vote on account of race or color.” A redistricting plan may be challenged under Section 2 for dilution of minority voting rights if the plan has the effect of denying racial or language

minority groups' equal opportunity to participate in the electoral process and to elect candidates of their choice.

Unlike Section 2, which applies nationwide, Section 5 of the Voting Rights Act applies to only nine states, including Texas, and to parts of seven other states. Section 5 requires covered jurisdictions to submit any change in a “standard, practice, or procedure with respect to voting”, including a new redistricting plan, to the DOJ or to the United States District Court for the District of Columbia before the change is implemented. This procedure is called “preclearance”. Seeking preclearance through the DOJ is generally regarded as the most efficient method, and is the method the City Council intends to pursue. To obtain approval of a redistricting plan, a city must prove that the plan “does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group”. The United States Supreme Court has stated that the purpose of Section 5 is to prevent changes in voting standards, practices or procedures that “would lead to retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise”, that is, that would cause minority voters to lose ground in the exercise of their voting rights.

Finally, the United States Supreme Court has decided a series of cases, beginning with *Shaw v. Reno* in 1993 concerning the criteria that may legally be used to draw redistricting plans. In *Shaw*, the Supreme Court recognized the right to challenge a redistricting plan on the basis that the plan was based on an unconstitutional consideration of race. *Shaw* involved a challenge to a plan that included a majority minority district that was 160 miles long and, for much of its length, only as wide as an interstate highway running through the state. The Court held that a redistricting plan violates the Equal Protection Clause if a district is so bizarrely shaped that it cannot be explained on grounds other than race.

Since *Shaw*, there has been a series of Supreme Court decisions holding that race can be considered but cannot be the “predominant” criterion for drawing district boundaries. In drawing district boundaries, a governing body (such as the City Council) can consider compactness, contiguity, and respect for political subdivisions or communities defined by shared interests including racial/ethnic composition.

5. REDISTRICTING HISTORY IN FORT WORTH

In **1975**, when the City of Fort Worth was reviewing its charter, residents and city administrators recognized the need to establish single-member city council districts. The single-member issue was placed on a referendum ballot during April 1975. With passage of the referendum, Fort Worth established its present eight single-member city council districts. The mayor continued to be elected at-large (city-wide).

In 1982, the single-member city council district plan for Fort Worth was revised using the **1980 Census** population figures. The reapportionment of population among the eight existing council districts in 1982 was relatively simple because the City of Fort Worth lost population according to the 1980 Census figures.

The **1990 Census** indicated sixteen percent (16%) population growth in Fort Worth, with eighty-seven percent (87%) of the growth in the minority population. Due to the complexity of the 1990 demographic configurations, the City Council divided the redistricting process into two phases. The Phase I process began with the appointment of a Charter Review Committee charged with the responsibility of holding public hearings, receiving testimony and making recommendations to the City Council regarding the number of council districts. When the Phase I process concluded, the City Council voted on June 25, 1991, to maintain the number of seats on the City Council.

Phase II allowed residents the opportunity to submit redistricting plans for consideration by the City Council. The Council held public hearings in each district, concluding with one citywide meeting at City Hall. By early July 1992, all deliberations were complete and a plan was adopted. The DOJ officially advised the City that it did not object to the plan, and no individual or group challenged the plan.

The **2000 Census** documented the continued rapid growth in Fort Worth, with a population increase of twenty-one percent (21%). The City followed the same two-phase process used in the 1990 redistricting effort. In Phase I, City staff conducted a workshop to train the public on how to create a redistricting plan manually and with computer software. The City Council members conducted four public meetings, one in each quadrant of the City, to receive input on the desired number of city council districts. The City Council adopted a resolution retaining eight single-member districts on August 27, 2001.

In Phase II, City staff conducted two workshops to provide training on preparing redistricting plans. The City Council held six public hearings in 2002 on the redistricting process and plans. The City Council adopted a redistricting plan on August 13, 2002, and later adopted minor plan amendments on November 5, 2002, in order to align three unpopulated census blocks with Tarrant County voter precincts. The DOJ officially advised the City that it did not object to the plan, and no individual or group challenged the plan.

6. INSTRUCTIONS FOR 2012 PARTICIPATION IN PHASE II

Redistricting plans and comments submitted to the City Council in Phase II will be used to assist in the adoption of a redistricting plan by the City Council.

a. Assistance Provided by the City

The City is providing copies of census data and maps and a redistricting Web site for the public to use. The redistricting Web site allows individuals to draw redistricting maps if desired, and to submit comments on desired City Council district boundaries.

- Individuals may access the redistricting Web site www.fortworthtexas.gov/redistricting from any computer with Internet access and Flash Player, including public computers at City libraries and community centers.
- For redistricting questions, visit the redistricting Web site at www.fortworthtexas.gov/redistricting or email redistricting@fortworthtexas.gov or call 817-392-2600.
- To review paper copies of census data and maps, visit the City Secretary's Office on the 3rd floor of City Hall located at 1000 Throckmorton Street, or visit any City library or community center. To request that a paper copy be mailed to you, please call 817-392-2600.

b. Deadline for Submitting Redistricting Plans and Comments

All plans and comments must be submitted by **5:00 p.m., Friday, March 30, 2012** for consideration by the City Council.

c. Where to Submit Your Redistricting Plan and Comments

Your recommendation should be submitted to either:

- i) The City Secretary's Office, located on the 3rd floor of City Hall, 1000 Throckmorton Street, 76102; or
- ii) The City's redistricting Web site at www.fortworthtexas.gov/redistricting.

d. Your Recommendation Should Include

All recommendations submitted to the City should include:

- A written explanation of the reasons for advocating certain district boundaries.
- A mailing address, email address and telephone number for the person or group making the recommendation.
- If a group is making the recommendation, a description of the official action taken by the group's leadership demonstrating the group's approval of the recommendation.
- Any type of supporting documentation that you would like the City Council to consider demonstrating how the plan could best represent residents of Fort Worth.
- Any redistricting plan proposed by a person or group must consist of a map and demographic report(s).
- Any redistricting plan proposed by a person or group must comply with the Criteria for Single-Member Districts as listed in Section 7 in order to be considered by the City.

7. CRITERIA FOR SINGLE-MEMBER DISTRICTS

Courts have recognized several criterion for developing single-member district plans. On June 7, 2011, the City Council adopted a resolution establishing the following ten criteria for redistricting.

1. The districts should be relatively equal in total population. (The ideal size of each district is obtained by dividing Fort Worth's population of 742,765 by the number of proposed districts. For eight districts, the ideal size is 92,846.)
2. The districts should assure that voting rights of racial and language minorities to participate in the electoral process and to elect candidates of their choice are not diluted.
3. The proposed districts should assure that voting rights of racial and language minorities under the current single-member district plan are not adversely affected.
4. The districts should be compact and contiguous.
5. Where possible, the districts should have easily identifiable geographic boundaries, such as streets, highways and rivers.
6. Where possible, communities of interest and neighborhoods should be kept intact. Attempts should be made to avoid splitting neighborhoods unless requested by neighborhood representatives.
7. Where possible each district should encompass areas located inside Loop 820 and outside Loop 820.
8. To the extent possible, the districts should follow the boundaries of county voting precincts.
9. Where possible, the districts should be composed of whole follow the census block groups or blocks.
10. Consideration may be given to the residence of City Council incumbents and their history in representing certain areas.

All redistricting plans considered by the City Council will be evaluated to determine conformance with these criteria.

8. PROPOSED SCHEDULE OF REDISTRICTING ACTIVITIES

The following schedule is proposed for receiving public input and preparing a redistricting plan for submittal to the DOJ for review prior to the May 2013 election. The City Council may revise the schedule if necessary to carry out these functions properly.

Phase II: Approval of a Single-Member City Council District Plan

<u>Date</u>	<u>Activity</u>
2012	
February-March	City Council and staff conduct community workshops on redistricting plan preparation.
March 30	Public input on redistricting plans due to City Secretary's Office.
April	Staff prepares an analysis of the plans submitted and briefs the City Council.
May-June	City Council and staff conduct public meetings and City Council conducts work sessions on plan options.
July	City Council conducts public hearing(s), approves a plan and submits it to DOJ.
August-November	DOJ reviews plan.
2013	
March 1	City Council election filing deadline .
May	City holds municipal election for new council districts.